

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

TONY FRENCH,

Petitioner,

v.

JERI BOE,

Respondent.

CASE NO. 3:25-CV-5059-TSZ-DWC

ORDER VACATING REPORT AND  
RECOMMENDATION

The District Court has referred this action to United States Magistrate Judge David W. Christel. Petitioner Tony French filed a proposed petition on January 22, 2025. Dkt. 1. Petitioner did not file an application to proceed *in forma pauperis* (“IFP”) form or pay the filing fee. On January 24, 2025, the Clerk of Court sent Petitioner a letter directing him to pay the filing fee or submit an application to proceed IFP. Dkt. 3. Petitioner paid the filing fee on February 3, 2025.

Due to a clerical error, the Clerk’s Office did not indicate on the docket that the filing fee was paid. Because it appeared from the record Petitioner had not paid the filing fee, the Court entered a Report and Recommendation recommending this case be dismissed for failure to pay the filing fee. *See* Dkt. 4. Petitioner filed objections to the Report and Recommendation because

1 he paid the filing fee. Dkt. 5. As Petitioner paid the filing fee, the undersigned vacates the Report  
2 and Recommendation (Dkt. 4) and Petitioner's objections (Dkt. 5) are denied as moot.

3 Dated this 2nd day of April, 2025.

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6 David W. Christel  
7 United States Magistrate Judge  
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